

REMARKS

Claims 1-35 are pending in this application.

Applicants acknowledge and appreciate the courtesy of the Examiner in granting Applicants' attorney, Michael E. Carmen, a telephone interview on April 16, 2008. The interview was carried out to discuss that the rejection under 35 U.S.C. §103(a) over Esche, Jr. et al. U.S. Publication No. 2004/0014612 ("Esche, Jr. et al.") in view of Migdal et al. U.S. Patent No. 5,075,383 ("Migdal et al.") was confusing as to which claims are being rejected. The Examiner stated this rejection should have been to Claims 1-15 and 17-35. Applicants' attorney then noted that Claims 25, 26 and 31 were indicated as being allowable in the previous Office Action dated July 13, 2007 and there was no indication of the status of these claims in the present Office Action. The Examiner then informed Applicants' attorney that arguments should be made herein that the finality of the Office Action is premature and should be withdrawn.

Accordingly, Applicants respectfully request withdrawal of the finality of the present Office Action. In the previous Office Action dated July 13, 2007, the Examiner objected to Claims 25, 26 and 31 as allowable over the prior art if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, the Examiner stated on the Office Action Summary Page of the present Office Action that Claims 1-35 are rejected and then did not reject or object to Claims 25, 26 and 31 on pages 2-7 of the Office Action. In the telephone interview conducted between Applicants' attorney and the Examiner on April 16, 2008, the Examiner stated that Claims 25, 26 and 31 should have been rejected in the present Office Action. As the Examiner is now stating that Claims 25, 26 and 31 are rejected, Applicants respectfully submit that the finality of the present Office Action is premature and that a non-final Office Action be issued instead.

The Examiner has rejected Claims 1-6, 9-14, 1-24, 27-30 and 32-35 under 35 U.S.C. §103(a) as being obvious over Esche, Jr. et al. in view of Migdal et al. Once a non-final Office Action is issued setting forth which claims should be rejected over Esche, Jr. et al. and Migdal, applicants will submit a timely response.

The Examiner has rejected Claims 1-15 under 35 U.S.C. §103(a) as being unpatentable over Migdal et al. Once a non-final Office Action is issued setting forth which claims should be rejected over Migdal et al., applicants will submit a timely response.

The Examiner has rejected Claim 16 under 35 U.S.C. §103(a), as being obvious over Migdal et al. in view of DeCanio U.S. Patent No. 5,925,151 ("DeCanio"). Once a non-final Office Action is issued setting forth which claims should be rejected over DeCanio, applicants will submit a timely response.

For the foregoing reasons, Claims 1-35 as presented herein are believed to be in condition for allowance. Such early and favorable action is earnestly solicited.

Respectfully submitted,



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